

Summary of 3130 Regulations Related to Family Service Planning

§ 3130.31. Responsibilities of the county agency.

The county agency shall be organized and staffed to ensure the following:

- (1) Administration of the agency, including the following:
 - (ii) The direct investigation and assessment, by county agency staff, of complaints, requests and referrals for service to determine their appropriateness for the following:
 - (A) Child abuse protective service.
 - (B) General child protective service.
 - (iii) Referral to other service providers and agencies.
 - (iv) Cooperation with other providers and agencies to ensure the appropriateness and follow-up of referrals to and from the county agency.
- (3) Direct case management by county agency staff of cases accepted for service by the county agency, including the following:
 - (i) Developing family service plans as required by §§ 3130.61, 3130.66 and 3130.67 (relating to family service plans; case planning for children in emergency placement; and placement planning).
 - (ii) Responsibility for the child's placement and care and for assuring that services are provided as required by family service plans.
 - (iii) Scheduling and conducting case reviews as required by §§ 3130.63, 3130.71 and 3130.72 (relating to review of family service plans; placement reviews; and dispositional review hearings).
 - (v) Revising the service plans as required by the case review process.

§ 3130.61. Family service plans.

- (a) The county agency shall prepare, within 60 days of accepting a family for service, a written family service plan for each family receiving services through the county agency.
- (b) The service plan shall be a discrete part of the family case record and shall include:
 - (1) Identifying information pertaining to both the child and other family members.
 - (2) A description of the specific circumstances under which the case was accepted.
 - (3) The service objectives for the family, identifying changes needed to protect children in the family in need of protection from abuse, neglect and exploitation and to prevent their placement.
 - (4) The services to be provided to achieve the objectives of the plan.
 - (5) The actions to be taken by the parents, children, the county agency or other agencies, and the dates when these actions will be completed.
 - (6) Placement amendments as required by § 3130.67 (relating to placement planning).
 - (7) The results of family service plan reviews and placement reviews as required by §§ 3130.63 and 3130.73 (relating to review of family service plans; and recording the results of reviews and hearings).
- (c) The service plan shall be signed by the county agency staff person responsible for management of the case. The parent or legal guardian and the child, if 14 years of age or older, shall be given the opportunity to sign the service plan. The county agency shall inform the parent or guardian that signing the plan constitutes agreement with the service plan.
- (d) The county agency shall provide family members, including the child, their representatives and service providers, the opportunity to participate in the development and amendment of the service plan if the opportunity does not jeopardize the child's

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safety. The method by which these opportunities are provided shall be recorded in the plan.

(e) The county agency shall provide family members, their legal counsel, other representatives and agencies or facilities providing services to the child and family with a copy of the service plan, including service plan amendments and results of reviews when the amendments or reviews change the previously agreed upon plan.

§ 3130.62. Parent appeals and fair hearings.

(a) The county agency shall provide to the parents, along with a copy of the family service plan and, if applicable, placement amendment, a written notice of their right to appeal the following to the Department's Office of Hearings and Appeals:

(1) A determination which results in a denial, reduction, discontinuance, suspension or termination of service.

(2) The county agency's failure to act upon a request for service with reasonable promptness.

(b) The notice shall include a statement of the parents' right to be represented by an attorney or other representative and the name and address of the local legal services agency.

§ 3130.63. Review of family service plans.

(a) Except as provided in subsection (b), the county agency shall review service plans at least every 6 months. The service plan review shall be recorded in the plan and shall include:

(1) An assessment of the progress made toward alleviating the conditions necessitating service.

(2) An assessment of whether planned actions have occurred and services have been provided.

(3) An assessment of whether the children continue to be safe in the home.

(4) Amendment to the plan as determined by the review.

(b) If a child is in placement, the county agency shall follow the requirements of § 3130.71 (relating to placement reviews).

§ 3130.66. Case planning for children in emergency placement.

(a) If a child has been placed in emergency placement and continued placement is necessary, the county agency shall prepare a family service plan under §§ 3130.61 and 3130.67(b) (relating to family service plans; and placement planning) no later than 30 days from the date the child enters emergency placement.

(b) If a child is in emergency placement and continued placement is not necessary but in-home services are needed, the county agency shall prepare a family service plan under § 3130.61 no later than 60 days after the date the child enters emergency placement.

§ 3130.67. Placement planning.

(a) Except for emergency placement, the county agency shall prepare an amendment to the service plan prior to placing a child.